

# **Stony Ridge Condominium Association Policy Statement**

**Policy Number:** SR19

**Policy Title:** Indoor Radon Gas

**Policy Adopted:** November 2019

**Policy Revised:** November 2020

## **Policy Statement:**

- A. The Association is responsible for governance, maintenance and administration of Stony Ridge Condominiums [the "Condominium"].
- B. The Association exists pursuant to the Michigan Condominium Act and the Michigan Nonprofit Corporation Act, as well as the Articles of Incorporation for the Association, the Master Deed and the Bylaws for the Condominium, as amended [collectively, the "Condominium Documents"].
- C. The Michigan Condominium Act and the Condominium Documents [see Article VI, Section 9 of the Condominium Bylaws] authorize the Association's Board of Directors [BOD] to adopt and enforce reasonable rules and regulations in the interest of the Condominium.
- D. The Association's BODs have determined that, to protect the health and safety of the residents and the property in the Condominium, and to prevent false readings and alarm, it is necessary to adopt reasonable guidelines governing the detection and mitigation of excessive levels of indoor radon gas within the Condominium.

The Association's BODs adopt the following rules and regulations for the Condominium [the "Rules"], which are binding upon all co-owners and their tenants, occupants, successors and assigns who currently or in the future may possess an interest in the Condominium, and which shall supersede any previously adopted rules on the same subject matter:

1. As a precondition to the Association taking action as specified in detail below, co-owners must utilize a **certified radon measurement service provider** to detect excessive levels of radon gas. **The certified radon measurement service provider** must provide documentation to ensure that the testing conditions were not violated during the testing period. Co-owners shall be solely responsible for all costs associated with the utilization of a certified radon measurement service provider.

Co-owners must promptly notify the Association if the certified radon measurement service provider's test indicates an elevated level of radon gas above 4 picocuries per liter and shall provide the Association with the test results. Co-owners may also submit to the Association a proposed mitigation plan to reduce the excessive radon gas levels.

2. Upon co-owner's notification and **submission of the test results**, the Association will have a minimum of two weeks to evaluate and confirm the

results and documentation. The Association may conduct confirming tests of its own and shall have access to the Unit to conduct tests and another two weeks after access to confirm test results.

3. Upon confirmation of a radon level consistently above 4 picocuries per liter, the Association, in its sole discretion, may either implement its own mitigation plan to reduce excessive radon gas levels or accept a co-owner's proposed mitigation plan to reduce excessive radon gas levels. The Association shall only be responsible for costs to the extent the radon is entering through a General Common Element that the Association is responsible for maintaining, repairing and replacing and, in that case, the Association will perform any additional tests as it deems necessary to confirm that the approved mitigation actions have reduced radon gas to acceptable levels. Co-owners will be solely responsible for all costs associated with mitigation actions taken prior to Association approval.
4. The Association does not warrant, guarantee or ensure that mitigation will be successful and bears no responsibility, other than for the cost of the work, if the Association deems further actions are necessary. The Association is not responsible for delays caused by co-owners or contractors' failure to follow proper testing procedures or these Rules.

**See List of items to submit [for BODs review]:**

**List of items Co-owners shall submit** to the Management Company.

1. **Alteration/Modification Request** - with page 3 indicating that you are submitting a Radon Mitigation Plan
2. **CRM - Certified Radon Measurement** test results, showing elevated levels of radon gas above 4 picocuries per liter.
3. **CRM service provider** must provide documentation to ensure that the testing conditions were not violated during the testing period.
4. **Proposed Mitigation Plan**, with cost, from your contractor.
5. **Copy of license** from the contractor's company.
6. **Insurance certificate** for the contractor's company.
7. **W-9 form** for the contractor's company [required so that contractor can be paid by the Management Company, on behalf of Stony Ridge Condominium Association].